

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**TQ DELTA, LLC,
Plaintiff,**

V.

**COMMSCOPE HOLDING COMPANY,
INC., COMMSCOPE INC., ARRIS
INTERNATIONAL LIMITED, ARRIS
GLOBAL LTD., ARRIS US HOLDINGS,
INC., ARRIS SOLUTIONS, INC., ARRIS
TECHNOLOGY, INC., and ARRIS
ENTERPRISES, LLC,**

**NOKIA CORP., NOKIA SOLUTIONS
AND NETWORKS OY, and NOKIA OF
AMERICA CORP.**

Defendants.

JURY TRIAL DEMANDED

Civil Action 2:21-cv-310-JRG
(Lead Case)

Civil Action No. 2:21-cv-309-JRG
(Member Case)

DECLARATION OF EDWARD CHIN

I, Edward Chin, hereby declare as follows:

1. I am a member of the Texas State Bar admitted to appear before this Court, and I am Of Counsel with The Davis Firm, P.C., counsel of record for plaintiff TQ Delta, LLC (“TQ Delta”) in this lawsuit. I submit this declaration based on personal knowledge and following a reasonable investigation. If called upon as a witness, I could competently testify to the truth of each statement herein.

2. Attached hereto as **Exhibit 1** is a true and correct copy of excerpts from the Rule 30(b)(6) deposition of CommScope through witness James Shead (CONFIDENTIAL INFORMATION), dated January 21, 2022.

3. Attached hereto as **Exhibit 2** is a true and correct copy of the Declaration of Mark Roche (RESTRICTED – ATTORNEYS EYES ONLY), dated February 22, 2022.

4. Attached hereto as **Exhibit 3** is a true and correct copy of the Declaration of Abha Divine (CONFIDENTIAL INFORMATION), dated February 22, 2022.

5. Attached hereto as **Exhibit 4** is a true and correct copy of CommScope's First Supplemental Objections and Responses to Plaintiff's Venue-Related Interrogatories, dated January 20, 2022.

6. Attached hereto as **Exhibit 5** is a true and correct copy of a CommScope press release titled, "CommScope Announces Plan to Spin-Off its Home Networks business in Independent Public Company," dated April 8, 2021.

7. Attached hereto as **Exhibit 6** is a true and correct copy of selected excerpts from CommScope's Q3 2021 Results Earnings Call Transcript, dated November 4, 2021.

8. Attached hereto as **Exhibit 7** is a true and correct copy of selected slides from CommScope's NEXT Update Call, dated April 8, 2021.

9. Attached hereto as **Exhibit 8** is a compilation of true and correct copies of LinkedIn profiles, patents, and/or property search results for certain named inventors of prior art asserted in CommScope's Invalidity Contentions who live in Texas:

- a. John G. Bartkowiak (Austin, TX – U.S. Patent No. 5,694,466)
- b. Roger Bjork (Round Rock, TX – U.S. Patent No. 5,128,619)
- c. James Carlo (Dallas, TX – U.S. Patent No. 6,829,307)
- d. Kim Chang (Richardson, TX – U.S. Patent No. 6,233,247)
- e. Yaqi Cheng (Rowlett, TX – U.S. Patent No. 6,549,512)
- f. Harry L. Cochrane (Liberty Hill, TX – U.S. Patent No. 5,128,619)

- g. Terry L. Cole (Austin, TX – U.S. Patent No. 6,424,674)
- h. Douglas E. Duschatko (Austin, TX – U.S. Patent No. 6,983,414)
- i. George Hoekstra (Austin, TX – U.S. Patent No. 5,751,741)
- j. Alfredo Linz (Austin, TX – U.S. Patent No. 6,424,674)
- k. Xiaolin Lu (Dallas, TX – U.S. Patent No. 5,910,970)
- l. William D. McCoy (Wylie, TX – U.S. Patent No. 5,392,299)
- m. John F. McHale (Austin, TX – U.S. Patent No. 6,366,644)
- n. Celite Milbrandt (Austin, TX – U.S. Patent Nos. 6,631,120; 6,633,545; 6,636,603)
- o. Vijayakumaran V. Nair (Austin, TX – U.S. Patent No. 6,424,674)
- p. Matthew A. Pendleton (Cedar Park, TX – U.S. Patent Nos. 5,521,906 and 5,533,088)
- q. Tom R. Pohrte (The Colony, TX – U.S. Patent No. 5,608,643)
- r. Don S. Rhines (Richardson, TX – U.S. Patent No. 5,392,299)
- s. Jack A. Ross (The Colony, TX – U.S. Patent No. 5,608,643)
- t. Mathew A. Rybicki (Austin, TX – U.S. Patent Nos. 5,521,906 and 5,533,088)
- u. Ray G. Sadler (Plano, TX – U.S. Patent No. 5,608,643)
- v. Donald P. Shaver (Dallas, TX – U.S. Patent No. 6,549,512)
- w. James R. Sisk (Cedar Park, TX – U.S. Patent No. 6,366,644)
- x. Andrew J. Thurston (Liberty Hill, TX – U.S. Patent No. 6,983,414)
- y. Raymond Paul Voith (Austin, TX – U.S. Patent No. 5,751,741)
- z. Martin Wichter (Arlington, TX – U.S. Patent No. 5,608,643)
- aa. Timothy L. Wilson (Austin, TX – U.S. Patent No. 5,128,619)
- bb. Song Wu (Plano, TX – U.S. Patent Nos. 6,219,378; 6,549,512; 6,649,512;)

cc. Zheng-yi Xie (Richardson, TX – U.S. Patent No. 5,694,466)

10. Attached hereto as **Exhibit 9** is a true and correct copy of TQ Delta's Second Amended Initial and Additional Disclosures, dated February 22, 2022.

11. Attached hereto as **Exhibit 10** is a true and correct copy of excerpted pages from the cover pleading of CommScope's Invalidity Contentions, dated January 13, 2022.

12. Attached hereto as **Exhibit 11** is a compilation of true and correct copies of the LinkedIn profiles for the following current or former CommScope employees:

- a. Joe Chow
- b. Charles Cheevers
- c. Steve Cochran Sr.
- d. Bryce Garrett
- e. Ken Haase
- f. Dan Hagarty
- g. Craig Herro
- h. German Iaryczower
- i. Chitralkha Joshi
- j. Chris Kohler
- k. Keith Mendel
- l. Khurram Qureshi
- m. Rajagopalan Ramanujam
- n. Courtney Rosenthal
- o. Jaime Salazar
- p. James Shead

- q. Charles Treadway
- r. Steve Wauters
- s. Joseph Yu

13. Attached hereto as **Exhibit 12** is a true and correct copy of AT&T's web site at <https://www.att.com/support/article/u-verse-high-speed-internet/KM1042194> showing an accused product, the Arris NVG599.

14. Attached hereto as **Exhibit 13** is a true and correct copy of the Declaration of Marcos Tzannes, dated February 22, 2022.

15. Attached hereto as **Exhibit 14** is a true and correct copy of search results using Google showing the distance and/or flight times between the following cities:

- a. Atlanta, GA to Marshall, TX
- b. Atlanta, GA to Shreveport, TX
- c. Atlanta, GA to Wilmington, DE
- d. Suwanee, GA to Wilmington, DE
- e. Suwanee, GA to Marshall, TX
- f. Alpharetta, GA to Marshall, TX
- g. Alpharetta, GA to Wilmington, DE
- h. Shreveport, LA to Marshall, TX
- i. Austin, TX to Wilmington, DE
- j. Austin, TX to Marshall, TX
- k. San Antonio, TX to Wilmington, DE
- l. San Antonio, TX to Marshall, TX
- m. San Diego, CA to Wilmington, DE

- n. San Diego, CA to Marshall, TX
- o. Santa Clara, CA to Wilmington, DE
- p. Santa Clara, CA to Marshall, TX
- q. San Jose, CA to Wilmington, DE
- r. San Jose, CA to Marshall, TX

16. Attached hereto as **Exhibit 15** is a true and correct copy of search results using Google Flights showing multiple non-stop daily flights between Atlanta, GA and Shreveport, LA.

17. Attached hereto as **Exhibit 16** is a true and correct copy of excerpted pages from the United States District Courts – National Judicial Caseload Profile data for the District of Delaware and the Eastern District of Texas for March 31, 2016 – March 31, 2021.

18. Attached hereto as **Exhibit 17** is a true and correct copy of the Collin County property tax search result for CommScope's office at 2601 Telecom Parkway, Richardson, Texas 75028.

19. Attached hereto as **Exhibit 18** is a true and correct copy of excerpts from CommScope's Motion to Transfer to the Sherman Division (Dkt. 82) in *Barkan Wireless IP Holdings, L.P. v. Sprint, et al.*, Civ. No. 2:19-cv-336-JRG, filed April 13, 2020 (E.D. Texas).

Executed on the 22nd day of February 2022, at Southlake, Texas.

/s/ Edward Chin
EDWARD CHIN